

HOUSE No. 2228

By Representative Quinn of Dartmouth and Senator Moore, joint petition of John F. Quinn and others for legislation to provide for the licensing and regulation of clinical laboratory science practitioners and for related purposes. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

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In the Year Two Thousand and Seven.

AN ACT PROVIDING FOR THE LICENSURE AND REGULATION OF CLINICAL LABORATORY SCIENCE PRACTITIONERS AND FOR RELATED PURPOSES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Short Title.

2 Chapter 13 of the General Laws, as appearing in the 2002 Official
3 Edition, is hereby amended by inserting at the end thereof the
4 following sections, which shall be known and may be cited as the
5 Clinical Laboratory Science Practice Act.

1 SECTION 2. Declaration of Policy and Statement of Purpose.

2 It is hereby declared to be a policy of the Commonwealth that the
3 practice of clinical laboratory science by health care professionals
4 affects the public health, safety and welfare and is subject to control
5 and regulation in the public interest. It is further declared that clin-
6 ical laboratories and clinical laboratory science practitioners provide
7 essential services to practitioners of the healing arts by furnishing
8 vital information which may be used in the diagnosis, prevention
9 and treatment of disease or impairment, and the assessment of the
10 health of humans. The purpose of this Act is to provide for the better

11 protection of public health by providing minimum qualifications for
12 clinical laboratory science practitioners, and by ensuring that clinical
13 laboratory tests are performed with the highest degree of profes-
14 sional competency by those engaged in providing such services in
15 the Commonwealth.

1 SECTION 3. Definitions.

2 The following words and terms when used in this Act shall have
3 the following meanings unless otherwise indicated within the con-
4 text:—

5 (1) “Accredited clinical laboratory program” means a program
6 planned to provide a predetermined amount of instruction and expe-
7 rience in clinical laboratory science that has been accredited by one
8 of the accrediting agencies recognized by the U.S. Department of
9 Education.

10 (2) “Board” means the Board of Registration of Clinical Labora-
11 tory Science Practitioners within the Division of Professional Licen-
12 sure.

13 (3) “Clinical laboratory test” or “laboratory test” means a micro-
14 biological, serological, chemical, hematological, radiobioassay, cyto-
15 logical, biophysical, immunological or other pathological
16 examination which is performed on material derived from the human
17 body, or any other test or procedure conducted by a laboratory or
18 facility which provides information for the diagnosis, prevention or
19 treatment of a disease or assessment of a human medical condition.

20 (4) “Clinical laboratory” or “laboratory” means any facility or
21 office in which clinical laboratory tests are performed.

22 (5) “Clinical laboratory science practitioner” or “one who engages
23 in the practice of clinical laboratory science” means a health care
24 professional who performs clinical laboratory tests or who is
25 engaged in management, education, consulting or research in clinical
26 laboratory science, and includes laboratory directors, supervisors,
27 clinical laboratory scientists (technologists), specialists, and techni-
28 cians working in a laboratory, but does not include persons
29 employed by a clinical laboratory to perform supportive functions
30 not related to direct performance of laboratory tests and does not
31 include clinical laboratory trainees.

32 (6) “Clinical laboratory scientist” (technologist) means a person
33 who performs tests pursuant to established and approved protocols

34 requiring the exercise of independent judgment and responsibility,
35 maintains equipment and records, performs quality assurance activi-
36 ties related to test performance, and may supervise and teach within
37 a clinical laboratory setting.

38 (7) “Clinical laboratory technician” means a person who performs
39 laboratory tests pursuant to established and approved protocols
40 which require limited exercise of independent judgment and which
41 are performed under the personal and direct supervision of a clinical
42 laboratory scientist (technologist), laboratory supervisor, or labora-
43 tory director.

44 (8) “Division” means the Division of Professional Licensure.

45 (9) “Limited function test” means a test conducted using proce-
46 dures which, as determined by the board, have an insignificant risk
47 of an erroneous result, including those which:—

48 (a) have been approved by the United States Food and Drug
49 Administration for home use; or

50 (b) employ methodologies that are so simple and accurate as to
51 render the likelihood of erroneous results negligible; or

52 (c) the board has determined pose no reasonable risk of harm to
53 the patient if performed incorrectly.

1 SECTION 4. Exemptions.

2 This Act does not apply to:

3 (1) Any person licensed in the Commonwealth under any other
4 Act from engaging in the practice for which he is licensed.

5 (2) Clinical laboratory science practitioners employed by the
6 United States government or any bureau, division or agency thereof
7 while in the discharge of the employee’s official duties.

8 (3) Clinical laboratory science practitioners engaged in teaching
9 or research, provided that the results of any examination performed
10 are not used in health maintenance, diagnosis or treatment of dis-
11 ease.

12 (4) Students or trainees enrolled in a clinical laboratory science
13 education program provided that these activities constitute a part of a
14 planned course in the program, that the persons are designated by
15 title such as intern, trainee, or student, and the persons work directly
16 under an individual licensed by this state to practice clinical labora-
17 tory science.

18 (5) Individual performing only limited function tests.

19 (6) Persons incidentally in this state to provide service as part of
20 an emergency response team working in conjunction with disaster
21 relief officials.

1 SECTION 5. License Required.

2 (1) No person shall practice clinical laboratory science or hold
3 himself out as a clinical laboratory science practitioner in this State
4 unless he is licensed under this Act.

5 (2) All persons engaged in the practice of clinical laboratory sci-
6 ence on the date of enactment of this Act (existing practitioners), are
7 certified by or eligible for certification by an Agency acceptable to
8 the board, and who have applied to the board on or before the effec-
9 tive date and have complied with all necessary requirements for such
10 application may continue to perform clinical laboratory tests until
11 (1) the expiration of 12 months after the filing of such application, or
12 (2) the denial of the application by the board, or (3) the withdrawal
13 of the application, whichever occurs first.

14 (3) Persons not meeting the education, training, and experience
15 qualifications for any license described in this Act may, prior to
16 twenty-four (24) months after the effective date of the board's regu-
17 lation, be considered to have met qualifications providing they have
18 three (3) years acceptable experience immediately prior to the effec-
19 tive date of the board's regulation and submit to the board the job
20 description of the position which the applicant has most recently
21 performed, attested to by his/her employer and notarized.

22 (4) Effective 24 months after the effective date of the board's reg-
23 ulation, no initial license shall be issued until an applicant meets all
24 of the requirements under this Act and successfully completes a
25 nationally recognized certification examination, or an appropriate
26 categorical or specialty exam recognized by the board.

1 SECTION 6. Administration.

2 There shall be a Board of Registration of Clinical Laboratory Sci-
3 ence Practitioners, herein called the board, within the Division of
4 Professional Licensure, which shall consist of seven (7) members,
5 appointed by the governor, who have been residents of the Common-
6 wealth for at least two years prior to their appointments and who are
7 actively engaged in their areas of practice. Appointments to the
8 board will be made after consulting lists submitted by organizations

9 of clinical laboratory science practitioners and organizations of
10 physician pathologists.

11 The board shall be composed of:—

12 (1) One physician certified by the American Board of Pathology
13 or American Board of Osteopathic Pathology;

14 (2) Four clinical laboratory science practitioners, at least one of
15 whom is a non-physician laboratory director, one of whom is a clin-
16 ical laboratory scientist (technologist), and one of whom is a clinical
17 laboratory technician, and who, except for the initial appointments,
18 hold active and valid licenses as clinical laboratory science practi-
19 tioners in this state; and

20 (3) Two public members who are not associated with or finan-
21 cially interested in the practice of clinical laboratory science.

22 Board members shall serve for a term of three years and until
23 their successors are appointed and qualified, except that the initial
24 appointments, which shall be made within 90 days after the effective
25 date of this Act, shall be as follows:—

26 (1) A pathologist, a non-physician laboratory director, and a clin-
27 ical laboratory scientist shall be appointed to serve for three years;

28 (2) A public representative shall be appointed to serve for two
29 years; and

30 (3) The remaining members shall be appointed to serve for one
31 year.

32 Whenever a vacancy shall occur on the board by reason other
33 than the expiration of a term of office, a successor of like qualifica-
34 tions shall be appointed for the remainder of the unexpired term. No
35 person shall be appointed to serve more than two successive 3-year
36 terms.

37 The members of the board shall be public employees for the pur-
38 poses of chapter 258 for all acts or omissions within the scope of
39 their duties as board members.

1 SECTION 7. Duties and Powers of the board.

2 In addition to powers conferred elsewhere in this Act, board
3 shall:—

4 (1) prescribe, publish, adopt and amend rules and regulations for
5 the implementation of this Act including but not limited to regula-
6 tions that delineate qualifications for licensure of clinical laboratory
7 science practitioners; specify requirements for the renewal of licen-

8 sure; establish standards of professional conduct; and have power to
9 amend or repeal the same. Following their adoption, the rules and
10 regulations shall govern and control the professional conduct of
11 every person who holds a license to perform clinical laboratory tests
12 or otherwise engages in the profession of clinical laboratory science;

13 (2) authorize or administer standard written oral or practical
14 examinations for purposes of licensure of clinical laboratory science
15 practitioners as provided for in Section 5 of this Act;

16 (3) promulgate rules and regulations governing qualifications for
17 licensure of specialists in such clinical laboratory science specialties
18 as the board may determine in accordance with Section 8(3) herein;

19 (4) promulgate rules and regulations governing personnel per-
20 forming tests in limited function laboratories;

21 (5) establish criteria for the continuing education of clinical labo-
22 ratory science practitioners as required for license renewal.

1 SECTION 8. Standards for Licensure.

2 (1) Clinical Laboratory Scientist (Technologist).

3 The board shall issue a clinical laboratory scientist's license to an
4 individual who meets such qualifications as promulgated by the
5 board, including at least one of the following qualifications:—

6 (a) A baccalaureate degree in clinical laboratory science (medical
7 technology) from an accredited college or university whose cur-
8 rriculum included appropriate clinical education;

9 (b) A baccalaureate degree in biological, chemical or physical sci-
10 ence from an accredited college or university, and subsequent to
11 graduation has at least 12 months of appropriate clinical education in
12 an accredited clinical laboratory science program;

13 (c) A baccalaureate degree which includes a minimum of thirty-
14 six (36) semester (or equivalent) hours in the biological, chemical
15 and physical sciences from an accredited college or university plus
16 two years of full-time work experience including a minimum of four
17 months in each of the four major disciplines of laboratory practice
18 (clinical chemistry, clinical microbiology, hematology, immunology/immunohematology); or

20 (d) A baccalaureate degree consisting of 90 semester (or equiva-
21 lent) hours, thirty-six of which must be in the biological, chemical or
22 physical sciences, from an accredited university, and appropriate

23 clinical education in an accredited clinical laboratory science pro-
24 gram.

25 (e) A clinical laboratory scientist (technologist) who previously
26 qualified under federal regulatory requirements such as 493.1433 of
27 the March 14, 1990 Federal Register or other regulations or criteria
28 which may be established by the board.

29 (f) A doctoral degree in a chemical, physical, biological or clin-
30 ical laboratory science from an accredited institution and is certified
31 by the American Board of Microbiology, the American Board of
32 Clinical Chemistry, the American Board of Bioanalysis, the Amer-
33 ican Board of Medical Laboratory Immunology, the American Board
34 of Medical Genetics, or other agencies deemed comparable by the
35 board and has at least one year of pertinent full time laboratory
36 training or experience.

37 (2) Clinical Laboratory Technician.

38 The board shall issue a clinical laboratory technician's license to
39 an individual who meets such qualifications as promulgated by the
40 board, including at least one of the following qualifications:—

41 (a) An associate degree or completion of sixty (60) semester (or
42 equivalent) hours from a clinical laboratory technician program
43 (CLT or equivalent) accredited by an agency recognized by the U.S.
44 Department of Education that included a structured curriculum in
45 clinical laboratory techniques;

46 (b) A high school diploma (or equivalent) and (a) completion of
47 12 months in a technician training program in an accredited school
48 approved by the board; or (b) successful completion of an official
49 military medical laboratory procedure course of at least 50 weeks
50 duration and has held the military enlisted occupational specialty of
51 medical laboratory specialist (laboratory technician); or

52 (c) A clinical laboratory technician who previously qualified
53 under federal regulatory requirements such as 493.1441 of the
54 March 14, 1990 Federal Register which meet or exceed the require-
55 ments for licensure set forth by the Board.

56 (3) Clinical Histotechnologist.

57 The board shall issue a Clinical Histotechnologist license to an
58 individual who meets such qualifications as promulgated by the
59 board, including at least one (1) of the following:—

60 (a) a baccalaureate degree which includes a combination of 30
61 semester hours of biological and chemical science coursework and
62 successful completion of an accredited program in histotechnology.

63 (b) a baccalaureate degree which includes a combination of 30
64 semester hours of biological and chemical science coursework and
65 completion of one full year post-baccalaureate experience in an
66 histopathology laboratory under the supervision of a histotechnolo-
67 gist or certified histotechnology supervisor with at least three (3)
68 years experience.

69 (4) Clinical Histologic Technician.

70 The board shall issue a Clinical Histologic Technician license to
71 an individual who meets such qualifications as promulgated by the
72 board, including at least one (1) of the following:—

73 (a) an associate degree or at least sixty (60) semester hours (or
74 equivalent) from an accredited college/university to include a combi-
75 nation of mathematics and at least twelve (12) semester hours of
76 biology and chemistry, and successfully completes an accredited
77 program in histologic technique or one full year of training in histo-
78 logic technique under the supervision of a certified histotechnologist
79 or an appropriately certified histopathology supervisor with at least
80 three (3) years experience.

81 (b) high school graduation (or equivalent) and completion of an
82 accredited program or two years full time acceptable experience at a
83 licensed clinical laboratory in histologic technique.

84 (5) Cytotechnologist.

85 The board shall issue a Cytotechnologist license to an individual
86 who meets such qualifications as promulgated by the board
87 including at least one (1) of the following:—

88 (a) a baccalaureate degree from an accredited college or univer-
89 sity with twenty (20) semester hours (30 quarter hours) of biological
90 science, eight (8) semester hours (12 quarter hours) of chemistry and
91 three (3) semester hours (4 quarter hours) of mathematics and suc-
92 cessful completion of a twelve (12) month cytotechnology program.

93 (b) a baccalaureate degree from an accredited college or univer-
94 sity with twenty (20) semester hours (30 quarter hours) of biological
95 science, eight (8) semester hours (12 quarter hours) of chemistry and
96 three (3) semester hours (4 quarter hours) of mathematics and five
97 (5) years full time acceptable clinical laboratory experience
98 including cytopreparatory techniques, microscopic analysis and

99 evaluation of the body systems within the last ten (10) years. At least
100 two of these years must be subsequent to the completion of the acad-
101 emic component and at least two (2) years must be under the super-
102 vision of a licensed physician who is a pathologist, certified, or
103 eligible for certification, by the American Board of Pathology in
104 Anatomic Pathology or has other suitable qualification acceptable to
105 the board.

106 (c) a cytotechnologist who previously qualified under federal reg-
107 ulatory requirements such as 493.1437 of the March 14, 1990 Fed-
108 eral Register.

109 (6) The board shall issue a Clinical Laboratory Science/Cytoge-
110 netic license to an individual who meets such qualifications as pro-
111 mulgated by the board including at least one (1) of the following:—

112 (a) a baccalaureate degree from an accredited college or univer-
113 sity majoring in either biology, chemistry or clinical laboratory sci-
114 ence and two years experience in clinical cytogenetics in the
115 performance of diagnostic tests; or

116 (b) successful completion of a nationally recognized certification
117 examination such as the National Certification Agency (NCA),
118 Department of Health and Human Service (DHHS), American Board
119 of Medical Genetics (ABMG), or others as may be recognized by the
120 board.

121 (7) The board may establish standards for such other clinical labo-
122 ratory science practitioners specializing in areas such as biophysics,
123 chemistry, cytology, hematology, histologic technique, immunohe-
124 matology, microbiology, serology, nuclear medical technology, or
125 similar recognized academic and scientific disciplines.

1 SECTION 9. Waiver of Requirements.

2 The board shall promulgate regulations providing procedures for
3 waiver of the requirements under Section 8 for all applicants who
4 hold a valid license or its equivalent issued by another jurisdiction;
5 provided that the requirements under which that license or its equiv-
6 alent was issued to or exceed the standards required by this Act.

1 SECTION 10. Licensure Application Procedures.

2 (1) Licensure applicants shall submit their application for licen-
3 sure to the board in the manner prescribed by the board, and shall

4 pay the designated application fee as determined by the secretary of
5 administration and finance.

6 (2) Upon approval of an application and payment of a license fee,
7 as determined by the secretary of administration and finance, the
8 board shall issue a license for a Clinical Laboratory Scientist (tech-
9 nologist), a Clinical Laboratory Technician, Histologic Technologist,
10 Histologic Technician, Cytotechnologist or an appropriate specialty
11 license to any person who meets the qualifications specified in this
12 Act and the regulations promulgated hereunder.

13 (3) The board may establish by regulation a procedure for
14 issuance of provisional licenses to individuals who otherwise qualify
15 under this Act but are awaiting the results of certification examina-
16 tions. A provisional license so issued shall be converted to a license
17 under the provision of Section 10 or expire not more than twelve
18 (12) months after issuance. At the discretion of the board, the provi-
19 sional license may be reissued at least one time.

20 (4) The board, subject to a vote of the majority of its members, is
21 authorized to deny a license on the following grounds:

22 (a) conviction by a court of competent jurisdiction of a crime
23 which the board determines to be of such a nature as to render such
24 person unfit to practice as a laboratory scientist.

25 (b) violation of ethical standards of such a nature as to render
26 such individual unfit to practice as laboratory scientist.

27 (c) fraud or misrepresentation in obtaining a license; or

28 (d) other just and sufficient cause which renders a person unfit to
29 practice as a laboratory scientist.

30 (5) All fees collected pursuant to this section shall be deposited in
31 the division of professional licensure trust fund established under
32 chapter 10, section 35V.

1 SECTION 11. Licensure Renewal.

2 (1) Licenses issued under this Act shall expire every two years on
3 the birthday of the licensee, with the exception that the term of ini-
4 tial licenses shall vary so as to fall on a subsequent birthday.

5 (2) Every person licensed under this Act shall be issued a renewal
6 license upon:

7 (a) Submission of an application for renewal in the manner pre-
8 scribed by the board and payment of an appropriate fee determined
9 by the secretary of administration and finance; and

10 (b) Proof of completion, in the period since the license was first
11 issued or last renewed, of at least twenty hours of continuing educa-
12 tion courses, clinics, lectures, training programs, seminars, or other
13 programs related to clinical laboratory practice which are approved
14 or accepted by the board; or proof of recertification by a board-
15 approved, national certification organization that mandates an annual
16 minimum of twenty hours of continuing education.

17 (3) The board may require other such evidence of competency as
18 it shall deem reasonably appropriate as a prerequisite to the renewal
19 of any license provided for in this Act, so long as such requirements
20 are uniform as to application, are reasonably related to the measure-
21 ment of qualification, performance, or competence, and are desirable
22 and necessary for the protection of the public health.

23 (4) All fees collected pursuant to this section shall be deposited in
24 the division of professional licensure trust fund established under
25 chapter 10, section 35V.

1 SECTION 12. Effective Date.

2 This Act shall take effect on January 1, 2005.

1 SECTION 13. Disciplinary Requirements.

2 Complaints alleging any violation of this chapter or board regula-
3 tion may be initiated by any person or by the board. The board shall
4 investigate all complaints relating to the proper practice of labora-
5 tory science and alleging any violation of this chapter or any rule or
6 regulation of said board.

7 The board may discipline the licensee if such a licensee has:

8 (1) engaged in conduct which places into question the holder's
9 competence to practice the profession including, but not limited to,
10 gross misconduct or misconduct in the practice of the profession;

11 (2) committed fraud or misrepresentation in obtaining a license;

12 (3) practiced the profession while the ability to practice impaired
13 by alcohol, drugs, physical disability or mental instability;

14 (4) violated any law, rule or regulation of the board;

15 (5) been convicted of a criminal offense which reasonably calls
16 into question the holder's ability to practice the profession;

17 (6) engaged in dishonesty, fraud or deceit which is reasonably
18 related to the practice of the profession;

19 (7) knowingly permitted, aided, or abetted an unlicensed person
20 to perform activities requiring a license, registration, or authority;

21 (8) had a license, certificate, registration, or authority issued by
22 another state or territory of the United States, the District of
23 Columbia, or foreign state or nation with authority to issue such a
24 license, certificate, registration, or authority revoked, canceled, or
25 suspended, not renewed or otherwise acted against, or the license has
26 been disciplined, if the basis for the action would constitute a basis
27 for disciplinary action in the commonwealth;

28 (9) violated any ethical standard which the board determines to be
29 of such a nature as to render such person unfit to practice as a labo-
30 ratory scientist, such as:

31 (i) inappropriate conduct or touching in the practice of laboratory
32 science;

33 (ii) negligence in the course of professional practice.

34 The board may, by a majority vote, after a hearing held subject to
35 chapter 30A, impose sanctions on an individual practicing laboratory
36 science. The board may undertake the following actions:

37 (1) suspend, revoke, cancel or place on probation such license,
38 certificate, registration or authority;

39 (2) reprimand or censure a licensee;

40 (3) assess upon such licensee an administrative penalty not to
41 exceed \$1,000 for the first violation and an administrative penalty
42 not to exceed \$2,500 for a second and any subsequent violation;

43 (4) require such licensee to complete additional education and
44 training as a condition of retention or future consideration or rein-
45 statement of said license;

46 (5) require such licensee to practice under appropriate supervision
47 for a period of time as determined by the board as a condition of
48 retention or future consideration of reinstatement of such license;

49 (6) require such licensee to participate in medical treatment,
50 mental health treatment, a substance abuse program, or a combina-
51 tion thereof, as a condition of retention or future consideration of
52 reinstatement of said license, and

53 (7) require restitution where appropriate.

54 The board may, by emergency action summarily suspend or
55 refuse to renew the license of any licensee, whose continued practice
56 poses an immediate threat to the public health, safety or welfare,
57 pending a hearing on the merits of the allegation against the licensee,

58 provided that the board shall hold a hearing pursuant to chapter 30A
59 on the necessity for the emergency action within 10 days of the
60 action. The board shall issue to the licensee a written summary sus-
61 pension or refusal to renew which specifies the findings of the board
62 and the reasons for its action and which includes notice of the date,
63 time and place of the aforementioned 10-day hearing. At the request
64 of the licensee, the board may reschedule this hearing to a date and
65 time mutually agreeable to the board and licensee. Any such
66 rescheduling of the hearing granted at the licensee's request shall not
67 operate to lift or stay the summary suspension order. If such hearing
68 is not held within 10 days of the board's emergency action or at such
69 time as mutually agreed by the board and licensee, the license,
70 against whom summary action was taken shall be deemed reinstated.
71 At the hearing on the necessity for summary suspension or refusal to
72 renew, the board shall receive evidence limited to determining
73 whether the summary suspension order shall continue in effect
74 pending the final disposition of the complaint. Following such
75 hearing, any continuing suspension imposed by a board shall remain
76 in effect until the conclusion of any formal proceeding on the merits
77 of the allegations against the holder, including judicial review
78 thereof or withdrawn by such board. The board shall develop rules
79 and regulations governing the emergency summary suspension pro-
80 cedure authorized by this section.

81 Nothing in this section shall be deemed a limitation on the board's
82 authority to impose such sanctions by consent agreement as are
83 deemed reasonable and appropriate by the board. Any person
84 aggrieved by any disciplinary action taken by the board may, pur-
85 suant to section 14 of chapter 30A, file a petition for judicial review
86 of such disciplinary action with the superior court. The superior
87 court shall have exclusive jurisdiction over all such petitions, and
88 any such petition shall be limited to a review of the administrative
89 record before the board. All administrative penalties assessed pur-
90 suant to this section shall be deposited in the General Fund.

1 SECTION 14. Unlicensed Practice.

2 The board may assess and collect an administrative penalty not to
3 exceed \$1,000 for the first violation and an administrative penalty
4 not to exceed \$2,500 for a second and any subsequent violation, per
5 occurrence, upon any person who practices laboratory science at a

6 time when his or her license to practice is not valid because it has
7 been suspended, revoked or canceled under authority of this chapter,
8 and upon any person who knowingly practices laboratory science at
9 a time when his or her license authorizing him or her to do so has
10 expired. The board may make application to the appropriate court
11 for an order enjoining unlicensed practice and obtaining a restraining
12 order or other order as may be appropriate. All administrative penal-
13 ties assessed pursuant to this section shall be deposited in the
14 General Fund.

15 Except as otherwise permitted by law, the board, after a hearing
16 held pursuant to chapter 30A, may assess and collect an administra-
17 tive penalty not to exceed \$1,000 for the first violation and an
18 administrative penalty not to exceed \$2,500 for a second and any
19 subsequent violation, per occurrence, upon any person who, without
20 holding the required license engages in the practice of laboratory sci-
21 ence. The provisions of this section shall not affect, but shall be in
22 addition to, any other penalty or remedy provided by law. The board
23 may make application to the appropriate court for an order enjoining
24 unlicensed practice, or ordering payment of any assessed administra-
25 tive penalty, or both. All administrative penalties assessed pursuant
26 to this section shall be deposited in the General Fund.

1 SECTION 15. Roster of Licenses. The board shall maintain a
2 roster of the names and addresses of persons licensed and registered
3 under the provision of this Act, and of all persons whose licenses
4 have been suspended or revoked.

1 SECTION 16. Severability. The provisions of this Act are sever-
2 able. If any part of this shall be declared invalid or unconstitutional,
3 such declaration shall not affect the parts which remain.